

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, SEPTEMBER 21, 2006
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Larry Hudkins
Bernie Heier
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:38 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
SEPTEMBER 7, 2006**

MOTION: Stevens moved and Heier seconded approval of the Staff Meeting minutes dated September 12, 2006. Stevens, Workman, Heier and Schorr voted aye. Hudkins was absent from voting. Motion carried.

Hudkins arrived at 8:39 a.m.

2 ADDITIONS TO THE AGENDA

- A. Parks & Recreation Advisory Board Meeting
- B. Lancaster Manor Foundation Meeting
- C. Region V Governing Board Meeting
- D. Railroad Transportation Safety District (RTSD) Meeting
- E. Monthly Meeting of Public Building Commission (PBC) Representatives and Mayor

MOTION: Heier moved and Stevens seconded approval of the additions to the agenda. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

3 BOARD OF CORRECTIONS QUARTERLY MEETING - Mike Thurber,
Corrections Director

Separate minutes.

4 INSURANCE RENEWALS - Sue Eckley, County Risk Manager; Tom
Champoux, UNICO Group, Inc.

Tom Champoux, UNICO Group, Inc., presented Insurance Program Renewal Proposal
(Exhibit A):

▶ Law Enforcement/Public Officials/Excess Liability

There was general consensus to start building up a fund should the Board decide to self-insure liability coverage for Sheriff's pursuit vehicles in the future.

Heier asked Champoux to separate the vehicle coverage from the public officials and excess liability coverage.

▶ Workers' Compensation

Champoux estimated that the premium will increase to \$56,000, due to the payroll increase.

▶ Property/Inland Marine

MOTION: Workman moved and Stevens seconded to add terrorism coverage. Stevens, Heier, Workman and Schorr voted aye. Hudkins voted no. Motion carried.

▶ Business Auto

Champoux recommended moving to a \$1,000 deductible for comprehensive and collision coverage on the Sheriff's Department vehicles.

MOTION: Hudkins moved and Workman seconded to go to the \$1,000 deductible. Heier, Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

The Board asked Sue Eckley, County Risk Manager, to provide additional training for 15 passenger van drivers, as there have been several accidents involving that type of vehicle.

- ▶ Boiler & Machinery

Champoux questioned whether the County has sufficient coverage.

There was general consensus to seek a recommendation from Don Killeen, County Property Manager.

Champoux was asked to check whether the cost could be offset with a higher deductible.

- ▶ Crime

Champoux recommended that the Board consider increasing deductibles.

MOTION: Workman moved and Hudkins seconded to go with Option 1, contingent upon verification that existing claims would not be impacted. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

- ▶ Community Mental Health

Eckley said the premium reduction is due to clarification of the definition of an out-patient visit.

- ▶ Public Building Commission

Champoux said the reduction in premium is based on loss experience and a "soft" market cycle.

Brief discussion also took place regarding the Early Retirement Incentive.

5 COUNTY RESOLUTION NO. 5069, AIR POLLUTION, AND COUNTY RESOLUTION NO. 02-30, ON-SITE WASTE WATER TREATMENT SYSTEMS (FEE INCREASES) - Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief; John Chess and Rick Thorson, Environmental Health Supervisors

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief, gave a brief overview of proposed changes (fee increases) for County Resolution No. 5069, Air Pollution, and County Resolution No. 02-30, On-site Waste Water Treatment Systems. He said the revenue that will be generated by the fee changes reflects what was adopted in the Health Department's budget. Holmes said public meetings were held to discuss the changes and notices were sent to those regulated by the codes, with little negative feedback.

Rick Thorson, Environmental Health Supervisor, said two chemicals (methyl ethyl ketone and ethylene glycol mono-butyl ether) will be removed from the list of Hazardous Air Pollutants list to provide consistency with Federal and State Regulations on air quality.

John Chess, Environmental Health Supervisor, gave a brief update on the Property Transfer Code. He said 49 transfers have gone through the process, to date, and said 10 were turned down for various reasons. Chess will provide a full report in six months.

The Chair asked Chess to extend an invitation to realtors.

6 PENDING AND POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney; Tom Fox and Kristy Mundt, Deputy County Attorneys

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 9:58 a.m. for discussion of pending and potential litigation. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 10:37 a.m. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

7 MISCELLANEOUS EXPENDITURE RESOLUTION PER DIEM RATES - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, asked the Board to reconsider the daily per diem rates or allow the Sheriff's Department to adopt the higher per diem rate.

Renee Runge, County Clerk's Office, appeared and answered questions relating to travel claims.

Extensive discussion followed.

Workman suggested tying the County's daily per diem rates to the State or Federal rates and going back to requiring receipts.

Gwen Thorpe, Deputy Chief Administrative Officer, suggested that the Board seek a recommendation from the original group that helped develop the daily per diem rate.

MOTION: Hudkins moved and Workman seconded to change the daily per diem rates to \$10/\$10/\$20 for low-cost areas and \$10/\$15/\$25 for high-cost areas, effective November 1, 2006, and to go back to requiring receipts. Heier, Hudkins and Workman voted aye. Stevens and Schorr voted no. Motion carried.

8 PENSION REVIEW COMMITTEE (PRC) RECOMMENDATIONS FOR INVESTMENT CHANGES

Kerry Eagan and Doug Cyr, members of the Pension Review Committee (PRC), discussed the following recommendations from the PRC:

1. Add the following funds:
 - A. Mid Cap Blend Fund - fidelity Advisor Leveraged Co Stk A Fund
 - B. Large Cap Growth Fund - American Funds The Growth Fund of America (Class R3)
 - C. High Yield Bond Fund - WM High Yield A Fund
2. Close and remove the AIM Mid Cap Core Equity Fund (Class A) and map assets and deferrals to the Fidelity Advisor Leveraged Co Stk A Fund
3. Close and remove the American Century Ultra Fund (Inv Class) and map assets and deferrals to the American Funds The Growth Fund of America (Class R3)
4. Close and remove the Dreyfus Appreciations Fund, Inc. and map assets and deferrals to the Davis New York Venture Fund (Class A)
5. Close and remove the Neuberger Berman High Income Fund (Inv Class) and map assets and deferrals to the WM High Yield A Fund
6. The T. Rowe Price Growth Stock Fund (Class R) should not be added in the large cap growth category. Instead information on other suitable options in this category should be obtained from Nationwide Retirement Solutions.

NOTE: Some of the recommendations differ from those offered by Nationwide Retirement Solutions (NRS), the administrator of the County's plan (see August 17, 2006 Staff Meeting minutes).

Concerns were expressed regarding 12B-1 fees (a marketing fee levied on mutual fund shareholders to pay for advertising and distribution costs, as well as broker compensation) and whether NRS's recommendations were "colored" by revenue sharing.

Eagan said the Pension Review Committee (PRC) needs professional advice from an investment expert that does not have fiscal ties to NRS. He suggested that the County go out for a Request for Proposals (RFP) and use the revenue sharing funds from NRS to pay for the consultant.

MOTION: Hudkins moved and Workman seconded to forward the recommendations from the Pension Review Committee (PRS), in resolution form, to the Tuesday, September 26, 2006 Board of Commissioners Meeting and to notify Nationwide Retirement Solutions (NRS). Workman, Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

MOTION: Workman moved and Hudkins seconded to direct the Pension Review Committee (PRS) to begin the process of developing a Request for Proposals (RFP) and to find another large cap growth fund. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

Copies of correspondence to and from NRS regarding Lancaster County investment options were also distributed (Exhibit B).

**9 UPDATE ON COUNTY ASSESSOR/REGISTER OF DEEDS
COMPUTER SYSTEM** - Norm Agena, County Assessor/Register of Deeds;
Rob Ogden, Chief Field Deputy Assessor/Register of Deeds

Norm Agena, County Assessor/Register of Deeds, reported on staffing and organizational changes. He said value inconsistencies are being addressed and said the goal is to get back to equalization.

Agena also addressed the number of property valuation protests that were filed and said this is the first time since 1994 that a complete reappraisal of all classes of property in Lancaster County was done. He said the number of protests filed wasn't unexpected, mainly because there was a new computer operating system. Agena added that he is pleased, overall, with the new system and said there will be significant cost savings.

In response to a question from Stevens, Trish Owen, Chief Deputy County Clerk, said everyone that filed a property valuation protest had an opportunity to visit with a referee. Their packet was reviewed by the referee coordinator, regardless of whether they were able to attend their hearing or not. The referee coordinator also reviewed any new information.

10 ACTION ITEMS

- A. Request from Personnel Department for Payment of Citizen Information Center (CIC) Charges for Open Enrollment Video

Item held for additional information.

11 ADMINISTRATIVE OFFICER REPORT

- A. Information from Kit Boesch, Human Services Administrator, on Keno Prevention Grant Through University of Nebraska - Lincoln (UNL) Health Center

Extensive discussion took regarding the project description wording, labeling of youth and appropriate funding sources.

MOTION: Heier moved to send to the application back with direction to Kit Boesch, Human Services Administrator, to word it differently.

Additional discussion followed and the maker of the motion withdrew his motion.

Eagan was asked to notify Boesch that the application was turned down.

- B. TRIM Electronic Recordkeeping System Update

Thorpe recommended that the County allow the City to use the County's licenses, as needed, to create TRIM boxes.

Thorpe was asked to get a letter from the software company indicating that the City's use of the County's licenses is allowable.

- C. Audit Committee (Exhibit C)

MOTION: Heier moved and Hudkins seconded to form an Audit Committee comprised of the County Board Chair and Vice Chair; Budget and Fiscal Officer; representatives of the County Clerk's Office, County Treasurer's Office, and City Fiscal Office; and a local representative, outside of government, that will be named later. Hudkins, Stevens, Heier, Workman and Schorr voted aye. Motion carried.

- D. Air Pollution Advisory Committee

No additional names were offered for nomination to the committee.

- E. Temporary Easement Donation (West "O" Street)

Eagan explained that the City is seeking a Temporary Easement from the County on property at 2nd and "O" Street in conjunction with replacement of the Harris Overpass. He said the Lincoln Action Program (LAP) Building is located there and said LAP is the

equitable owner and Lancaster County is the legal owner, under terms of the Industrial Development Bonds.

It was noted that two trees are shown to be removed.

MOTION: Hudkins moved and Stevens seconded to authorize a temporary easement donation, with the stipulation that the City contact Lincoln Action Program (LAP) to determine removal and replacement of trees. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

F. Martin Prairie Dedication (Friday, September 22, 2006)

Thorpe will represent the Board at the dedication.

G. Draft Letter to Bruce and Bonnie Woods (Address Change)

MOTION: Hudkins moved and Stevens seconded to authorize signature by the Chair. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

H. Address Change Appeals from Darlene L. Molzer-Leyden and Robert O. Walters

Brief discussion took place, with consensus to have Eagan draft a letter to Darlene L. Molzer-Leyden indicating that her address may be changed to 11901 South 2nd Street and a letter to Robert O. Walters indicating that his appeal was denied.

I. County Board Schedule Week of October 30, 2006

The Board decided not to hold a Board of Commissioners Meeting or Staff Meeting the week of October 30, 2006.

J. Meeting with Jail Consultant (October 19, 2006 at 3 p.m.)

Board consensus was to hold the meeting on October 24, 2006 at 1 p.m. instead.

K. Purchase Cards

General discussion was held, with consensus to not switch from credit cards to purchase cards.

Thorpe will continue to work on a credit card policy.

- L. Update on Cooperative Agreement with Lower Platte South Natural Resources District (NRD) and Abbott Charitable Foundation for Motocross Track

Eagan said Lancaster County is the fiscal agent for the Recreational Trails Program Grants but has no fiscal liability.

The agreement will be scheduled on the Tuesday, September 26, 2006 Board of Commissioners Meeting agenda.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Public Building Commission (PBC) - Hudkins, Workman

Workman reported that the Lincoln-Lancaster County Health Department project is on schedule and under budget.

- B. Air Pollution Advisory Board - Hudkins

Hudkins said the City and County received an air pollution machine, at no cost, because the State was allowed to place the machine on the Health Department Building.

- C. Board of Health - Hudkins

Hudkins said increases in air pollution and on-site waste water treatment system fees were approved.

- D. Southeast Nebraska Association of County Officials (NACO) Conference - Hudkins, Heier

Heier said bridge inspections were discussed.

- E. Information Services Policy Committee (ISPC) - Stevens

Stevens reported requests for information from the City and County's computer system.

- F. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

Stevens said he did not attend the meeting.

G. Lincoln Partnership for Economic Development (LPED) Investors' Meeting - Schorr

Thorpe distributed copies of the Final Report of the Development and Permitting Process Board of Review that was handed out at the meeting (Exhibit D).

ADDITIONS TO THE AGENDA

A. Parks & Recreation Advisory Board Meeting

Stevens said the Pinewood Bowl Master Plan was discussed.

B. Lancaster Manor Foundation Meeting

Hudkins said the Director of Nursing has resigned her position.

C. Region V Governing Board Meeting

Schorr said approval was given to the plan to move the Integrated Care Coordination Unit (ICCU) back to Region V's building.

D. Railroad Transportation Safety District (RTSD) Meeting

Workman said there has been no resolution to the issue of trains sounding their horns as they approach the railroad crossing at 44th and Cornhusker Highway.

E. Monthly Meeting of Public Building Commission (PBC) Representatives and Mayor

No report.

13 ADJOURNMENT

MOTION: Stevens moved and Heier seconded to adjourn the meeting at 1:05 p.m. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk